

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

STEPHEN MACK,

Petitioner,

No. CIV S-02-1539 GEB JFM P

vs.

G.M. GALAZA, Warden, et al.,

Respondents.

ORDER

\_\_\_\_\_/

Petitioner has filed his second request for an extension of time to file and serve objections to the May 17, 2006 findings and recommendations. Good cause appearing, the request will be granted. No further extensions of time will be granted.

In addition, petitioner has requested the appointment of counsel. There currently exists no absolute right to appointment of counsel in habeas proceedings. See Nevius v. Sumner, 105 F.3d 453, 460 (9th Cir. 1996). However, 18 U.S.C. § 3006A authorizes the appointment of counsel at any stage of the case “if the interests of justice so require.” See Rule 8(c), Fed. R. Governing § 2254 Cases. In the present case, the court does not find that the interests of justice would be served by the appointment of counsel at the present time.

////

////

1 IT IS HEREBY ORDERED that:

2 1. Petitioner's July 13, 2006 request for an extension of time is granted;

3 2. Petitioner shall file and serve objections to the May 17, 2006 findings and  
4 recommendations on or before September 14, 2006. No further extensions of time will be  
5 granted; and

6 3. Petitioner's July 13, 2006 motion for appointment of counsel is denied without  
7 prejudice to a renewal of the motion at a later stage of the proceedings.

8 DATED: July 20, 2006.

9  
10   
11 UNITED STATES MAGISTRATE JUDGE

12 /mp  
13 mack1539.111sec+110  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26